

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Service Rules for the 698-746, 747-762)	WT Docket No. 06-150
and 777-792 MHz Bands)	
)	
Revision of the Commission's Rules to Ensure)	CC Docket No. 94-102
Compatibility with Enhanced 911 Emergency)	
Calling Systems)	
)	
Section 68.4(a) of the Commission's Rules)	WT Docket No. 01-309
Governing Hearing Aid-Compatible)	
Telephones)	
)	WT Docket No. 03-264
Biennial Regulatory Review – Amendment of)	
Parts 1, 22, 24, 27, and 90 to Streamline and)	
Harmonize Various Rules Affecting Wireless)	
Radio Services)	
)	WT Docket No. 06-169
Former Nextel Communications, Inc.)	
Upper 700 MHz Guard Band)	
Licenses and Revisions to Part 27 of)	
the Commission's Rules)	
)	PS Docket No. 06-229
Implementing a Nationwide,)	
Broadband, Interoperable Public)	
Safety Network in the 700 MHz)	
Band)	WT Docket No. 96-86
)	
Development of Operational, Technical and)	
Spectrum Requirements for Meeting Federal,)	
State and Local Public Safety		
Communications Requirements Through the		
Year 2010		

**COMMENTS OF THE NEVADA (REGION 27) 700 MHZ REGION PLANNING
COMMITTEE**

The Nevada (Region 27) 700 MHz Region Planning Committee hereby submits these reply comments in response to the Commission's *Further Notice of Proposed Rulemaking* in the above-captioned proceedings.

On April 25, 2007 the Commission published its Report and Order and Further Notice of Proposed Rulemaking with regard to the 700 MHz band. Upon review of this document the Nevada 700 MHz Region Planning Committee offers these comments.

The Nevada (Region 27) 700 MHz Region Planning Committee is made up of all entities eligible to use the public safety portion of the 700 MHz spectrum. This includes state and local governments, public safety agencies, Native American tribes and critical infrastructure industries within the State of Nevada. All of these entities will, at some time require additional spectrum that will become available upon approval of the Region 27 Plan for 700 MHz.

Several of the larger entities including the Metropolitan Police Department of Clark County, with more than 8,000 users and the participants of the Nevada Shared Radio System with more than 4,000 users are already developing specific applications for the 700 MHz spectrum. All of these plans include both voice and data applications for this new spectrum.

The Metropolitan Police Department is already constructing a new radio system with all of its site design based upon the existing 700 MHz spectrum plan as previously defined by the Commission and included in the existing DRAFT Region 27 Plan¹.

The comments submitted herein relate only to the concerns expressed by members of the Region Committee with regard to the broadband provisions described in the NPRM.

In Paragraph 250 of the NPRM the Commission wishes to eliminate any use of wideband technologies by individual users and replace the currently assigned wideband spectrum with a broadband² spectrum to be operated under a nation interoperability standard. Part of this rationale is that there are only a limited number of licensees currently utilizing this wideband

¹ Currently under Review at the FCC

² Wideband being that currently designated portion of spectrum partitioned into 50 KHz channels which can be aggregated up to 150 KHz and broadband being defined only as occupying the same spectrum and more

spectrum so there will be minimal impact. While we concede that there is currently only a limited number of users in this spectrum, it must be considered that the limited usage is due to the fact that this band has just recently become available and the communications industry has not yet ramped up engineering and design efforts to utilize it. We believe that, given a reasonable amount of time, the industry will develop very robust, versatile and cost effective equipment that can be used here.

In Paragraph 252 the Commission acknowledges that, while public safety supports “some form of a broadband allocation” there is still the need for other forms of narrowband voice and data. We disagree with the Commission in Paragraph 253 that broadband is the only solution to public safety’s requirements. While we agree that a nationwide interoperability standard should be established there is a strong concern that the reality of establishing such a standard in a meaningful timeframe will be detrimental to the continuing growth of necessary public safety communications nationwide. Thus, the proposed prohibition on the development of other technologies, at least in a portion of the currently defined wideband spectrum, will severely impact the technological growth of smaller entities with limited funding availability.

In Section IV.B.4.b of the NPRM the Commission discusses its proposed band plan along with the proposal for use by Frontline. While we agree with the concept of a nationwide broadband network it is clear to us that the development and implementation of such a network is beyond the scope of current vision.

The “Public Safety Broadband Deployment Plan” relies on the commercial sector to implement the nationwide network and then having the local public safety entities “hop on-board”. While the concept is valid we believe, as do many others in the public safety

community, that commercial interests will not be as concerned with providing the required coverage on a nationwide basis but rather on a market basis as is their current business model.³

This method will leave smaller, more rural communities without the ability to access broadband until such time as the commercial interests determine that they are operating successfully. Based on current demographics this could result in almost half of the country not being able to utilize “modern” technology at all or until far into the future.

If the Commission adopts a broadband plan it should be a plan that includes the capability for the RPC’s to maintain at least some portion of the “wideband” 700 MHz spectrum until such time as the nationwide network is built out and the majority of communities have access to the accepted broadband technology. The Commission could mandate that “wideband” technology equipment must be able to interface with the future broadband technologies when it becomes available. This one concession will allow public safety entities that wish to expand their capabilities in the present the ability to do so without having to wait for an undefined technology in an undefined timeframe at an indeterminate cost.

Respectfully submitted,

Mark D. Pallans

Chairman

Region 27 700 MHz Planning Committee

May 21, 2007

³ A standard business model is to build out in a lucrative market first to maximize revenue.